

### **REMARKS**

Careful review and examination of the subject application are noted and appreciated.

### **SUPPORT FOR THE CLAIM AMENDMENTS**

Support for the claim amendments may be found in the specification, for example, on page 17 lines 12-17, page 24 lines 24-35, page 25 lines 17-24, page 42 lines 3-16, page 44 lines 6-15 and FIGS. 1, 22A and 23B, as originally filed. Thus, no new matter has been added.

### **CLAIM REJECTIONS UNDER 35 U.S.C. §103**

The rejection under 35 U.S.C. §103(a) over Fu et al. '625 (hereafter Fu) and Lee '275 in view of Kirk et al. '238 (hereafter Kirk) has been obviated by appropriate amendment and should be withdrawn.

The rejection of claims 76, 136, 159 and 179 under 35 U.S.C. §103(a) as being unpatentable over Fu, Lee and Kirk in further view of Beckers '974 has been obviated by appropriate amendment and should be withdrawn.

The rejection of claims 165 and 185 under 35 U.S.C. §103(a) as being unpatentable over Fu and Kirk in view of Dessertine '172 is respectfully traversed and should be withdrawn.

The rejection of claims 111, 118, 121, 122, 130, 143, 144, 152, 157, 162, 172, 177 and 182 under 35 U.S.C. §103(a) as being unpatentable over Fu, Lee and Kirk in further view of Fujimoto '821 has been obviated by appropriate amendment and should be withdrawn.

The rejection of claims 135, 160 and 180 under 35 U.S.C. §103(a) as being unpatentable over Fu, Lee and Kirk in view of the "Official Notice" taken by the Office has been obviated by appropriate amendment and should be withdrawn.

Fu concerns a personal health monitor (Title). Lee concerns a home medical surveillance system (Title). Kirk concerns a health support system (Title). Beckers concerns a diabetes management system and apparatus (Title). Dessertine concerns a patient compliance and status monitoring system (Title). Fujimoto concerns a home medical system and medical apparatus for use therewith (Title).

Claim 70 provides a system configured to allow (a) a healthcare professional to cause particular information related to a particular one of more of patients to be transmitted from a computer to a central server, (b) each of the remote patient sites to establish a respective communication link with the central server and (c) the central server to send the particular information to the remote patient sites of the particular patients in response to establishing the respective communication links. In

contrast, all of Fu, Lee and Kirk appear to be silent regarding a central server sending information received from a computer to a remote patient site in response to the remote patient site establishing a communication link to the central server. Therefore, Fu, Lee and Kirk, alone or in combination, do not appear to teach or suggest a system configured to allow (a) a healthcare professional to cause particular information related to a particular one of more of patients to be transmitted from a computer to a central server, (b) each of the remote patient sites to establish a respective communication link with the central server and (c) the central server to send the particular information to the remote patient sites of the particular patients in response to establishing the respective communication links as presently claimed. Claims 127, 149, 150 and 170 contain language similar to claim 70. As such, the claimed invention is fully patentable over the cited references and the rejection should be withdrawn.

Claim 150 further provides allowing (d) a second user of the computer to cause user-related data to be transmitted from the central server to the computer, and (e) generation of at least one first report in the computer based on the user-related data collected at the remote user sites. In contrast, all of Fu, Lee and Kirk appear to be silent regarding a physician computer generating a report based on the user-related data. In contrast,

sections 3.2.1 and 3.3.1 of Lee appear to contemplate that data processing of the raw data is performed by the surveillance and control office (alleged claimed central server) and not the physician's office (alleged claimed computer). Therefore, Fu, Lee and Kirk, alone or in combination, do not appear to teach or suggest allowing (d) a second user of the computer to cause user-related data to be transmitted from the central server to the computer, and (e) generation of at least one first report in the computer based on the user-related data collected at the remote user sites as presently claimed. Claim 170 provides language similar to claim 150. As such, claims 150 and 170 are fully patentable over the cited references and the rejection should be withdrawn.

Claim 111 provides that system enables a specific patient to choose when to receive the message (from the central server). In contrast, all of Fu, Lee, Kirk and Fujimoto appear to be silent regarding enabling a patient to choose when to receive a message from the central server as presently claimed. Claims 130, 157 and 177 provide language similar to claim 111. As such, claims 111, 130, 157 and 177 are fully patentable over the cited reference and the rejection should be withdrawn.

Claim 121 provides a menu that allows the patients to select at least one operational mode from a set comprising: (i) a display mode; (ii) an input mode; and (iii) a communications mode.

In contrast, all of Fu, Lee, Kirk and Fujimoto appear to be silent regarding a menu having a display mode, an input mode or a communications mode as presently claimed. Claims 143, 162 and 182 provide language similar to claim 121. As such, claims 121, 143, 162 and 182 are fully patentable over the cited references and the rejection should be withdrawn.

Claim 113 provides that the display is part of a video game device. In contrast, all of Fu, Lee and Kirk appear to be silent regarding a display being part of a video game device as presently claimed. As such, claim 113 is fully patentable over the cited references and the rejection should be withdrawn.

Claims 165 and 185 depend from claims 150 and 170, which are rejected over Fu, Lee and Kirk. Consequently, claims 165 and 185 cannot be obvious over only Fu, Kirk and Dessertine in the absence of Lee. Therefore, the rejection appears to be incomplete and should be withdrawn.

Claims 76, 77, 110-123, 126, 128-145, 148, 151-166, 169, 171-186 and 189 depend from claims 70, 127, 150 and 170, which are now believed to be allowable. As such, the dependent claims are fully patentable over the cited references and the rejections should be withdrawn.

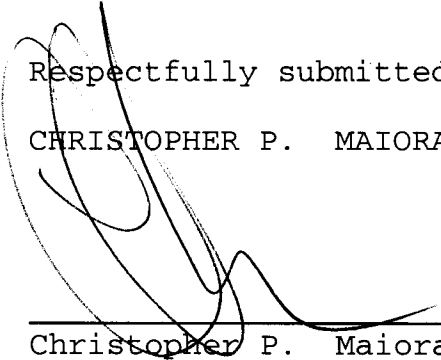
Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicant's representative at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit Account No. 50-0541.

Respectfully submitted,

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